

**MINUTES  
CITY OF NORTH LAS VEGAS  
REGULAR CITY COUNCIL MEETING**

December 15, 2004

Website - <http://www.cityofnorthlasvegas.com>

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**WELCOME**

Mayor Michael L. Montandon

**ROLL CALL**

**COUNCIL PRESENT**

Mayor Michael L. Montandon  
Mayor Pro Tempore William E. Robinson  
Councilwoman Stephanie S. Smith  
Councilman Shari Buck  
Councilman Robert L. Eliason

**STAFF PRESENT**

City Manager Gregory Rose	Planning and Zoning Director Jory Stewart
City Attorney Sean McGowan	Police Chief Mark Paresi
City Clerk Karen L. Storms	Public Works Director Jim Bell
Finance Director Phil Stoeckinger	Strategic Planning Director Eric Dabney
Fire Chief Jim Stubler	Deputy City Clerk Anita Sheldon
Parks & Recreation Director Michael Henley	

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Pastor Rose Haag  
Flaming Sword International Ministries

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tempore William E. Robinson

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF DECEMBER 15, 2004.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**23. ACCEPTANCE OF AN EDI SPECIAL PROJECT GRANT AWARD FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNDER THE VA-HUD INDEPENDENT AGENCIES APPROPRIATION ACT OF 2004, IN THE AMOUNT OF \$74,558 FOR THE PLANNING AND DESIGN OF THE ALIANTE LIBRARY.**

Congresswoman Shelley Berkley presented a check from Housing and Urban Development in the amount of \$74,558 to the City of North Las Vegas for the planning and design of the Aliante Library.

ACTION: GRANT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**PRESENTATION**

- ★ *Presentation of "Distinguished Budget Presentation Award" to Mayor and City Council on behalf of the Finance Department*

ACTION: AWARD PRESENTED

**CONSENT AGENDA**

**9. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER 6, 2004.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**10. APPROVAL OF PRIVILEGED LICENSE (EXHIBIT A).**

<b><u>BUSINESS NAME</u></b>	<b><u>LICENSE TYPE</u></b>	<b><u>ACTIVITY</u></b>
<b>CHANGE OWNERS - LIQUOR &amp; GAMING</b>		
1. The Fieldhouse Group, LLC	Liquor	General On Sale Tavern
D. Winiarczyk, D. Forte, J. Guanci, Members	Gaming	(15) Slot Machines
<b><u>DBA:</u></b> Mulligan's Bar & Grill 2312 E Craig Rd North Las Vegas, Nevada	Owner/Operators	<u>Police Investigations Completed</u> Former Owner: Four Chiefs LLC
<u>Pending Final Building &amp; Fire Inspection Approvals</u>		
<u>Pending State Gaming Commission Approval Scheduled for December 16, 2004</u>		

ACTION: APPROVED

MOTION: Councilman Eliason  
SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**11. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NOS. 36, 37, 39, AND 40.**

ACTION: APPROVED

MOTION: Councilman Eliason  
SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**12. APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH MEYER'S WESTERN IMPORT PARTS, INC. FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNS AT WASHBURN ROAD AND SIMMONS STREET IN THE APPROXIMATE AMOUNT OF 2.2% OF THE TOTAL COST, OR \$10,822; ANN ROAD AND SIMMONS STREET IN THE APPROXIMATE AMOUNT OF 5.1% OF THE TOTAL COST OR \$25,088; ANN ROAD AND CLAYTON STREET IN THE APPROXIMATE AMOUNT OF 1.5% OF THE TOTAL COST OR \$7,379; TROPICAL PARKWAY AND SIMMONS STREET IN THE APPROXIMATE AMOUNT OF 3.2% OF THE TOTAL COST OR \$15,742; AND A MEDIAN ON SIMMONS STREET IN THE APPROXIMATE AMOUNT OF 100% OF THE TOTAL COST OR \$15,000 FOR THE MEYER'S AUTO PARTS LOCATED ON THE EAST SIDE OF SIMMONS STREET, NORTH OF ANN ROAD. (CNLV CONTRACT NO. C-5826)**

ACTION: APPROVED

MOTION: Councilman Eliason  
SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

### BUSINESS

**13. AUTHORIZATION TO THE CITY MANAGER TO COMBINE THE DETENTION DEPARTMENT WITH THE POLICE DEPARTMENT, AS ONE DEPARTMENT, TO BE KNOWN AS THE NORTH LAS VEGAS POLICE DEPARTMENT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**14. APPROVAL TO AMEND THE 2004 - 2005 STAFFING PATTERN AS FOLLOWS:**  
(All staffing pattern changes will be processed when administratively feasible)

#### **CITY ATTORNEY**

Reclassify one (1) Deputy City Attorney I/Deputy City Attorney II APT 23/APT 25 previously approved effective March 1, 2005 to Chief Deputy City Attorney, Criminal Division ADD 27, effective December 7, 2004.

#### **MUNICIPAL COURT**

Reclassify one (1) Scanner, hourly (\$15) to Scanner Operator, TNS 12

Add one (1) Senior Court Clerk, TNS 15

Add four (4) Reserve Bailiffs, hourly (\$19.55)

#### **STRATEGIC PLANNING**

##### Building Maintenance Division

Title change only: Eight (8) Janitor TNS 12 to Building Custodian TNS 12

Title change only: One (1) Chief of Janitorial Services TS 18 to Building Custodian Supervisor TS 18

**FINANCE**

Delete one (1) Financial Applications Administrator APT 24

Add one (1) Budget Analyst APT 22

**PLANNING AND DEVELOPMENT**

Transfer one (1) Senior Deputy City Clerk TS 19 from City Clerk's Office to Planning and Zoning

**CITY CLERK**

Transfer one (1) Executive Secretary TA 16 from Planning and Development and change title to Deputy City Clerk TNS 16

**HUMAN RESOURCES**

Upgrade one (1) Human Resources Analyst APT 18 to Human Resources Analyst CNF 20

Transfer one (1) Human Resources Analyst TA 23 from Information Technology Department to Human Resources Department and change title to Senior Human Resources Analyst TA 23

**INFORMATION TECHNOLOGY**

Transfer and change title: Transfer one (1) HRIS Customer Service Administrator APT 24 from Human Resources Department to Information Technology Department and change title to Business Systems Architect APT 24

**POLICE DEPARTMENT**

Detention Services

Delete one (1) Chief of Detention DD33

Add one (1) Sergeant PS 59

Reclassify one (1) Corrections Administrative Coordinator TA21 to Detention Services Manager APT 24

Delete one (1) Detention/Corrections Office Manager APT 18

Add one (1) Executive Secretary CNF16

Delete one (1) Manager Detention/Corrections APT 22 effective February 5, 2005

Delete one (1) Corrections Captain DD 31

Add one Corrections Lieutenant PS 63

**ACTION: APPROVED**

MOTION: Councilwoman Smith  
SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**15. APPROVAL OF AN ADDENDUM TO THE CONSULTING AGREEMENT WITH NEU & COMPANY FOR ADDITIONAL SERVICES FOR THE VISIONING PROJECT IN THE AMOUNT OF \$18,750 (CNLV CONTRACT NO. C-5827).**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**PUBLIC HEARINGS - 6:15 P.M.**

**2. AMP-58-04 (LA GRANGE COMMERCIAL); AN APPLICATION SUBMITTED BY LAND BARON ON BEHALF OF LA GRANGE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY. (CONTINUED SEPTEMBER 1 AND NOVEMBER 17, 2004) (ASSOCIATED ITEM NO. 33, ORDINANCE NO. 2018, ZN-75-04)**

Mayor Montandon opened the Public Hearing.

Planning Manager Marc Jordan stated the Planning Commission approved this application for Convenience Commercial unanimously at their July 28<sup>th</sup> meeting. Staff and the Planning Commission recommended approval of this item.

**George Garcia, 1711 Whitney Mesa Drive, Henderson**, stated the application complied with most of the required elements for this type of development. He said three of the corners of this intersection were already commercial. He said the neighbors supported the project and asked for the Council's approval.

**Glenn Miller, 332 Horse Pointe Avenue, North Las Vegas**, stated he was in favor of the commercial on the corner. He stated he was concerned about the buffer wall between his neighborhood and the new residential. He did not like to see two-story homes overlooking his yard.

**Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas**, stated he was concerned about the residential going in next to his neighborhood. The homes in his neighborhood were single-story and he did not want two-story next to his property.

Mayor Montandon advised the citizens that the residential portion of the project was not before Council and encouraged them to come back again when it was presented.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Member Buck

NAYS: Council Members Smith and Eliason

ABSTAIN: None

- 33. ORDINANCE NO. 2018; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 3± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-75-04, LA GRANGE COMMERCIAL), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED SEPTEMBER 1 AND NOVEMBER 17, 2004) (ASSOCIATED ITEM NO. 2, AMP-58-04)**

Ordinance No. 2018, as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 3± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-75-04, LA GRANGE COMMERCIAL), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND

CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS  
PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Member Buck

NAYS: Council Members Smith and Eliason

ABSTAIN: None

3. **AN APPEAL SUBMITTED BY SCOTT SAUER, A PROPERTY OWNER WITHIN 300 FEET, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-135-04 (CLARK COUNTY SCHOOL DISTRICT); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT, PROPERTY OWNER, TO ALLOW A SCHOOL IN AN R-E RANCH ESTATES DISTRICT ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND LAWRENCE STREET. (CONTINUED DECEMBER 1, 2004)**

Mayor Montandon opened the Public Hearing.

Planning Manager Marc Jordan stated Staff had sent out notices to 90 property owners south of the school site and hand delivered notices to the homes which fronted on El Campo Grande. The School District had advised Staff they had met with the residents and proposed some changes for the site.

**Carol Bailey, Clark County School District, 4312 Eucalyptus Street, Las Vegas**, stated they met with the neighbors and thought the District would be able to address some of their concerns. She thanked the neighbors for their civility and hospitality.

**Wade Simpson, Welles Pugsley Architects, 2480 East Tomkins Avenue, Las Vegas** explained the stairs on the south side of the building would be eliminated and the exit would be for emergency access only. He said, upon approval by the City Traffic Department, the bus parking would be directed off of Tropical Parkway.

**Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas**, stated he would prefer to see the site flipped, with the building at the other end of the property. He still had concerns about the traffic, although eliminating the south entrance helped. He believed the problem with traffic was not the school buses, but the people dropping off and picking up their children.

**Barry Cohen, 5627 Tropic Breeze Street, North Las Vegas**, stated he was concerned about their narrow streets being clogged with traffic. He believed flipping the site so that the ballfields were near their homes instead of the building would force the traffic out on a larger street and not onto El Campo Grande.

**Gay Shoaff, 5622 Midnight Breeze Street, North Las Vegas** asked the Council to trade properties with the School District, ask the School District to flip the site or deny the application.

**Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas** said he believed the buses would have easier ingress and egress if the site plan was flipped.

**Odette Yeganeh, 1825 East El Campo Grande Street, North Las Vegas**, said she and her neighbors on El Campo Grande Street would be the most affected by the school site. She wanted the plan flipped.

Councilman Buck confirmed with Ms. Yeganeh that having the ballfield across from her property would be acceptable if it were lighted at night. Ms. Yeganeh believed it would add security to the area.

**Marvin Phillips, 5637 Midnight Breeze Street, North Las Vegas** said he thought the issue with the electro magnetic field (EMF) on two sides of the property was why the School District wanted to site the school there. He questioned the wisdom of the School District purchasing the site if they had concerns about the EMF.

Mayor Montandon closed the Public Hearing.

Councilwoman Smith believed the real issue was the residents whose homes faced the school on El Campo Grande. She wanted the parcel flipped so the ballfields were across from the residents. She asked Staff not to put homes facing out of subdivisions onto large streets.

Mayor Pro Tempore Robinson asked the School District to work with our Planning Staff so that these issues did not come up in the future.

Councilwoman Smith said she wanted the School District to flip the site and to come back to Planning showing that change. Mr. Simpson said, based on experience and information collected by the School District, the school needed to be as far from the power lines as possible. He said building the school this way would get the building as far from the lines as possible although still not outside of the 300 feet suggested by School District guidelines.

**ACTION: PLANNING COMMISSION DECISION REVERSED; USE PERMIT DENIED**

MOTION: Councilwoman Smith  
SECOND: Councilman Buck  
AYES: Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: Mayor Montandon  
ABSTAIN: None

**4. AMP-92-04 (LAWRENCE AND TROPICAL); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO PSP, PUBLIC/SEMI-PUBLIC ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAWRENCE STREET AND TROPICAL PARKWAY. (ASSOCIATED ITEM NO. 34, ORDINANCE NO. 2068, ZN-102-04)**

Mayor Montandon opened the Public Hearing.

Planning Manager Marc Jordan stated this application complied with the guidelines in the comprehensive plan and Planning Commission recommended approval.

**Carol Bailey, Clark County School District, 4312 Eucalyptus Street, Las Vegas**, stated the site could not be flipped, but she asked for approval of this amendment.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**34. ORDINANCE NO. 2068; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 18.38 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PSP, PUBLIC/SEMI-PUBLIC (ZN-102-04, LAWRENCE AND TROPICAL), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAWRENCE STREET AND TROPICAL PARKWAY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-92-04)**

Ordinance No. 2068, as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 18.38 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PSP, PUBLIC/SEMI-PUBLIC (ZN-102-04, LAWRENCE AND TROPICAL), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAWRENCE STREET AND TROPICAL PARKWAY, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**5. AMP-93-04 (CLAYTON STREET); AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE CLAYTON STREET BETWEEN GRAND TETON DRIVE AND SEVERANCE LANE; TO REMOVE HIGHLAND DRIVE FROM WHISPERING SANDS DRIVE TO DEER SPRINGS WAY; TO REMOVE WHISPERING SANDS DRIVE FROM CLAYTON STREET TO SCOTT ROBINSON BOULEVARD; AND TO REMOVE SCOTT ROBINSON BOULEVARD FROM WHISPERING SANDS DRIVE TO FARM ROAD.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell said this change was to align Clayton Street. The current alignment did not best suit the development occurring just east of Aliante.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**6. AN APPEAL SUBMITTED BY LARRY GEARHEART ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-26-02 (DONALD DENMAN TRACKED VEHICLE STORAGE); AN APPLICATION SUBMITTED BY LARRY GEARHEART ON BEHALF OF D.L. DENMAN CONSTRUCTION COMPANY, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TRACKED VEHICLE STORAGE ON PROPERTY LOCATED AT 4880 DONOVAN WAY.**

Mayor Montandon opened the Public Hearing.

Planning Manager Marc Jordan stated the applicant had requested a two-year extension to complete the conditions of approval for the Conditional Use Permit. They indicated the block wall had been constructed, 16 pine trees had been ordered and 35% of the aiseways had been paved. Planning Commission had denied the application.

**Larry Gearheart, 4880 Donovan Way, North Las Vegas**, represented the applicant and stated about 75% of the work had been completed. The company had run into some financial difficulties and he asked for approval of the extension.

Councilman Eliason confirmed the applicant could finish the project within a year. Councilman Buck said this was the only extension the applicant had asked for and she would support a one-year extension.

Mayor Montandon closed the Public Hearing.

**ACTION: PLANNING COMMISSION DECISION REVERSED; ONE-YEAR EXTENSION APPROVED**

**MOTION: Mayor Pro Tempore Robinson**

**SECOND: Councilman Eliason**

**AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason**

**NAYS: None**

**ABSTAIN: None**

**7. UN-58-03 (BELTWAY I-15, LLC); AN APPLICATION SUBMITTED BY BELTWAY I-15, LLC, PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF INTERSTATE 15 AND CHRISTY LANE.**

Mayor Montandon opened the Public Hearing.

Planning Manager Marc Jordan stated Condition 5 of the Use Permit required the applicant to pave access to the base of the pole. They asked to amend the Condition to pave access to the site and provide access to the base of the pole that would meet Clark County air quality standards. Staff supported the amendment and the Planning Commission recommended approval.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, represented the applicant and asked for Council's approval. He said the sign would be designed, along with the other two signs in the general vicinity, pursuant to the Aliante guidelines.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

CONDITION NO. 5 AMENDED TO READ AS FOLLOWS:

5. THE APPLICANT SHALL PROVIDE PAVED ACCESS TO THE SITE WITHIN PUBLIC RIGHT-OF-WAY PER *CLARK COUNTY AREA UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION - OFF-SITE IMPROVEMENTS*, DRAWING 209, OR AS OTHERWISE REQUIRED BY THE DIRECTOR OF PUBLIC WORKS. ADDITIONALLY, AN ON-SITE SERVICE ACCESS DRIVE FROM A PUBLIC ROADWAY MUST BE PROVIDED THAT SATISFIES THE CLARK COUNTY DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT RULES AND REGULATIONS.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

8. **VAC-34-04 (MOUNTAIN SHADOW); AN APPLICATION SUBMITTED BY RL HOMES ON BEHALF OF DARK, LLC, PROPERTY OWNER, TO VACATE APPROXIMATELY 310 FEET OF THE EASTERLY HALF OF THE CONWAY STREET RIGHT-OF-WAY COMMENCING AT AZURE STREET AND PROCEEDING NORTH APPROXIMATELY 310 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated Staff recommended approval of this application.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**BUSINESS (CONTINUED)**

16. **CONSIDERATION AND POSSIBLE ACTION BY THE CITY COUNCIL DIRECTING STAFF TO PREPARE AND SERVE A COMPLAINT, AND SCHEDULE A DISCIPLINARY HEARING FOR DISCIPLINE AGAINST HERMES R. MEJIA, LIQUOR LICENSEE, OWNER AND OPERATOR OF THE EL RINCON NARAYITA BAR LOCATED AT 1820 EAST LAKE MEAD BOULEVARD, SUITE J, NORTH LAS VEGAS.**

City Attorney Sean McGowan stated a complaint would be served upon the licensee and attempts to resolve the allegations against them would be discussed. If no resolution was reached, a hearing would be held and Council would determine whether the licensee should be disciplined.

ACTION: APPROVED; STAFF DIRECTED TO MOVE FORWARD

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**17. APPROVAL TO RENEW CONTRACT WITH MIDWEST EMPLOYERS CASUALTY COMPANY FOR SPECIFIC EXCESS WORKERS' COMPENSATION INSURANCE (STOP LOSS INSURANCE) IN THE AMOUNT OF \$61,525 FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 (CNLV Contract No. C-5271).**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**18. ACCEPTANCE OF AUDIT REPORT FOR FY 2003-04 WHICH ENDED JUNE 30, 2004.**

Finance Director Phil Stoeckinger stated two of the findings from last year's audit report had been rectified. He introduced Richard Bowler who read the findings for this year.

Mr. Bowler stated he was required by law to read into the record any recommendations or comments. He said the results of the tests disclosed instances of non-compliance or other matters required to be reported under Government Auditing Standards and which were described in the Schedule of Findings and Questioned Cost, as Items 04-1 and 04-3. As described in items 04-1 through 04-5, the City did not comply with requirements regarding period of availability and reporting requirements that are applicable to its Local Law Enforcement Block Grant Program. As described in Item 04-5, the City did not comply with requirements regarding reporting requirements that are applicable to its Crime Victims Assistance grant. Compliance was necessary for the City to meet the requirements of those programs. Mr. Bowler said those deficiencies were considered to be material and not significant weaknesses.

Mr. Stoeckinger explained the items identified on this audit would be repaired and would not appear on the next audit.

ACTION: ACCEPTED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

19. **APPROVAL TO RESCIND AWARD OF BID NO. 1169 TO FRIENDLY FORD FOR THE PURCHASE OF 13 SEDANS FOR THE POLICE DEPARTMENT FOR NOT MEETING BID SPECIFICATIONS AND TO AWARD THE BID TO FORD COUNTRY, FOR ITEM 1 IN THE AMOUNT OF \$172,890 AND ITEM 2 IN THE AMOUNT OF \$51,867.**

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

20. **APPROVAL TO PURCHASE FOUR BMW POLICE MOTORCYCLES TO REPLACE MOTORCYCLES THAT ARE BEYOND THEIR USEFUL LIFE FROM BMW OF SALT LAKE IN THE AMOUNT OF \$79,264, USING A COMPETITIVE BIDDING EXCEPTION PER NRS 332.148.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

21. **APPROVAL OF THREE MONTH EXTENSION OF NON-OPERATIONAL STATUS EFFECTIVE DECEMBER 30, 2004 AND EXPIRING MARCH 30, 2005 FOR THE SPEEDWAY BAR & GRILL LOCATED AT 4224 NORTH PECOS ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**22. APPROVAL OF PURCHASE OF RADIO COMMUNICATIONS AND INFRASTRUCTURE EQUIPMENT USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332, LOCAL GOVERNMENT PURCHASING ACT, TO MOTOROLA, INC. AND HARRIS CORPORATION IN AN AMOUNT NOT TO EXCEED A TOTAL OF \$1,149,871 (CNLV CONTRACT NO. C-5828).**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**ITEM NO. 23 WAS MOVED AND HEARD AFTER ITEM NO. 1.**

**24. APPROVAL OF THE DONATION OF A CITY OWNED 1979 HOWE FIRE APPARATUS TO COLD CREEK VOLUNTEER FIRE DEPARTMENT, CLARK COUNTY, NEVADA.**

ACTION: DONATION APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**25. REVIEW AND ACTION ON COMPLETED COMPREHENSIVE UPDATE OF PARKS AND RECREATION MASTER PLAN AND FACILITIES DEVELOPMENT PROGRAM.**

Parks and Recreation Director Mike Henley introduced Jack Wallin with Poggemeyer Design Group who presented a summary of the update. Mr. Wallin said participants in workshops listed the most popular activities as family gatherings, picnicking, playgrounds, sports fields, swimming pools, exercise facilities, and passive enjoyment of open space. High marks were given by the citizens to park appearance and maintenance. Some of the suggested goals were acquisition, development, renovation and equitable distribution of

facilities as well as safe, accessible, well-designed, and aesthetically pleasing parks and public spaces. The citizens requested the City provide recreation services that promoted health and wellness and reduced water consumption consistent with the desert environment. Mr. Wallin asked the Council to accept the plan.

ACTION: ACCEPTED

MOTION: Mayor Montandon

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**26. APPROVAL OF PURCHASE OF REGISTRATION SOFTWARE FROM CLASS SOFTWARE SOLUTIONS IN THE AMOUNT OF \$50,000 USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332.115(1)(H) (CNLV CONTRACT NO. C-5825).**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**27. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MCBRIDE DALE CLARION & ASSOCIATES TO UPDATE THE CITY'S COMPREHENSIVE PLAN, WITH A TOTAL AUTHORIZATION NOT TO EXCEED \$263,900 (CNLV CONTRACT NO. 5829).**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

28. **APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH RAFI FOR THE JUSTICE FACILITY PROJECT IN AN AMOUNT NOT TO EXCEED \$75,000 AND THE REVISED TOTAL FEE NOT TO EXCEED \$2,232,361, TO COMPLETE SERVICES PROVIDED FOR IN AMENDMENT #1, INCLUDING QUANTIFIED CONSTRUCTION MANAGEMENT SUPPORT SERVICES (CNLV CONTRACT NO. C-4812).**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

29. **APPROVAL OF COOPERATIVE STEWARDSHIP AGREEMENT WITH THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION, FOR THE CRAIG ROAD LANDSCAPING PROJECT, PHASE I, CONSISTING OF DESIGN AND CONSTRUCTION OF DROUGHT-TOLERANT LANDSCAPING ON CRAIG ROAD BETWEEN FUSELIER DRIVE AND REVERE STREET, WITH NO FISCAL IMPACT TO THE CITY (CNLV CONTRACT NO. 5830).**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

30. **APPROVAL TO PURCHASE 94,175 SQUARE FEET (2.16 ACRES) OF LAND FROM MENDENHALL LEGACY LIMITED PARTNERSHIP, A.P.N. 139-02-401-003 IN THE AMOUNT OF \$470,900 PLUS ESCROW FEES, AND AUTHORIZATION FOR THE CITY'S MANAGER OF REAL PROPERTY SERVICES TO SIGN THE ESCROW DOCUMENTATION.**

ACTION: APPROVED

MOTION: Councilwoman Smith  
SECOND: Mayor Pro Tempore Robinson  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**31. APPROVAL AND AUTHORIZATION FOR ROADWAY OPERATIONS TO UTILIZE \$35,000 FROM THE TAX OVERRIDE FUND IN ORDER TO PURCHASE A NEW 5<sup>TH</sup> WHEEL END DUMP TRAILER.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

**ORDINANCES  
INTRODUCTION ONLY**

**32. ORDINANCE NO. 2073; AN ORDINANCE TO AMEND SECTION 6.12.021 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE KEEPING OF POT-BELLIED PIGS IN CERTAIN RESIDENTIALLY ZONED DISTRICTS. (SET FOR FINAL ACTION JANUARY 5, 2005)**

Ordinance No. 2073, as introduced by the City Clerk:

AN ORDINANCE TO AMEND SECTION 6.12.021 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING THE KEEPING OF POT-BELLIED PIGS IN CERTAIN RESIDENTIALLY ZONED DISTRICTS.

ACTION: FINAL ACTION SET FOR JANUARY 5, 2005

**ORDINANCES**  
**FINAL ACTION**

- 35. ORDINANCE NO. 2069; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 15.13 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-101-04, WASHBURN/LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAWRENCE STREET AND WASHBURN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2069, as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 15.13 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-101-04, WASHBURN/LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAWRENCE STREET AND WASHBURN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

- 36. ORDINANCE NO. 2070; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 17.46 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-110-04, LA MADRE/LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND LAWRENCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2070, as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 17.46 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-110-04, LA MADRE/LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND LAWRENCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

- 37. ORDINANCE NO. 2071; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 7.04 ACRES THEREIN FROM AN R-A/CREC, REDEVELOPMENT AREA/COMMERCIAL RECREATION SUBDISTRICT TO AN R-A/OFFICE, REDEVELOPMENT AREA/OFFICE SUBDISTRICT (ZN-112-04, NORTH VISTA PROFESSIONAL PLAZA), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF HUNKINS DRIVE AND MCDANIEL STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2071, as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 7.04 ACRES THEREIN FROM AN R-A/CREC, REDEVELOPMENT AREA/COMMERCIAL RECREATION SUBDISTRICT TO AN R-A/OFFICE, REDEVELOPMENT AREA/OFFICE SUBDISTRICT (ZN-

112-04, NORTH VISTA PROFESSIONAL PLAZA), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF HUNKINS DRIVE AND MCDANIEL STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

### APPOINTMENT

38. Appointment by Mayor Montandon of one member to the Planning Commission to fill a vacancy with a term expiring June 30, 2005. **(Tabled December 1, 2004)**

ACTION: ANGELO CARVALHO APPOINTED FOR A TERM EXPIRING JUNE 30, 2005

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

### COUNCIL ITEMS

Councilman Buck stated she would like to discuss having all school site applications approved by Council. City Manager Gregory Rose said a Study Session would be held to consider this issue.

### CITY MANAGER'S REPORT

City Manager Gregory Rose thanked Council and Staff for their work and wished all a happy holiday.

**PUBLIC FORUM**

**Gene L. Mendes, 2825 Stanley Avenue, North Las Vegas**, spoke about employment issues in the Police Department. He stated he had been working as a Citizen's Complaint Aid since February 2003. He explained it was a temporary job and he enjoyed the job enough to consider applying for a Community Service Officer position. He said he had passed the testing process, but had not been granted an interview and no one in a supervisory position had talked to him about the job. Mr. Mendes mentioned the amount of training he had received which was necessary to accomplish the tasks required of a Citizen's Complaint Aid and believed he was qualified to work as a Community Service Officer. Mayor Montandon thanked Mr. Mendes for coming to the Council with this information and thanked him for his service to the City.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 7:59 P.M.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members  
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**APPROVED: MARCH 2, 2005**

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Michael L. Montandon, Mayor

ATTEST:

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Karen L. Storms, CMC  
City Clerk